CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND FIFTY-EIGHTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 17 March 1970, at 10.30 a.m.

Chairman: Mr. K. CHRISTOV (Bulgaria)

(Previous verbatim records in this series appeared under the symbols ENDC/PV.1-ENDC/PV.430).

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PRESENT AT THE TABLE

Argentina:	Mr. C. ORTIZ de ROZAS
	Mr. A.F. DUMONT
	Mr. V.E. BERASATEGUI
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	Mr. P. CABRAL de MELLO
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. K. CHRISTOV
	Mr. T. PETROV
	Mr. D. STAMBOLIEV
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Japan:	Mr. I. ABE
	Mr. S. YAMADA
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Yugoslavia:	Mr. M. VUKOVIC
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Bulgaria) (interpretation from French): I declare open the 458th plenary meeting of the Conference of the Committee on Disarmament.

2. Mr. AHMED (Pakistan): May I take this opportunity to extend a warm welcome to the representatives of Brazil, Japan, Mongolia, Morocco, Poland and Romania who have taken their seats for the first time in the Committee? We are also happy to see amongst us Mr. Epstein, the Deputy Special Representative of the Secretary-General.

3. On 18 February the Secretary-General of the United Nations, U Thant, addressed the Committee in person and thus initiated the Disarmament Decade declared by the General Assembly at its last session (resolution 2602 E (XXIV); CCD/275). The Secretary-General referred to the achievements in the field of disarmament during the 1960s which, he said, "constitute initial but very important steps towards disarmament" (CCD/PV.450, para.10). He also said that:

> "... the world was at a critical crossroads where there was a real danger of a fearful new upward spiral in the 'mad momentum' of the nuclear arms race. The issue still hangs in the balance" (ibid.).

4. I might recall here that at the Conference of the Non-Nuclear-Weapon States in 1968 the delegation of Pakistan expressed its hope for a meeting between the two main nuclear Powers to discuss ways and means of limiting the strategic nuclear arms race as a demonstration of their good faith and in accordance with the pledge given in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (ENDC/226*). Last year, when the representatives of those two great Powers met at Helsinki, we warmly welcomed this step and expressed our sincere hope for its success. Mr. Roshchin, in his statement on 17 February, said: "Public opinion and the governments of many countries have welcomed the beginning of the Soviet-United States talks on curbing the strategic arms race." (CCD/PV.449, para.40). We agree with Mr. Smith's observation that "all nations have an important stake in the success of those talks" (ibid., para.19). In looking forward to the next session at Vienna in April we fully share the hope expressed by Mr. Smith in his statement on 17 February that "1970 can produce concrete progress in this urgent and vital matter" (ibid., para.21).

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5. Some delegations have referred to the close link between the strategic arms limitation talks (SALT) and the work of this Committee. The Secretary-General also has observed that progress in these talks will undoubtedly have a most important bearing on all of the work of the Committee on Disarmament (CCD/PV.450, para.23). That brings me to the Secretary-General's reminder to us that serious attempts should be made to obtain the participation of all the nuclear Powers in all efforts for disarmament and that the active co-operation of all of them is essential for a full measure of success (ibid., para.24).

6. The Committee will recall that in its first statement on 7 August 1969 the Pakistan delegation expressed the earnest hope "that the two nuclear Powers France and China, which are not in our midst, will before long be enabled to participate in this forum" (ENDC/PV.426, para.21). I should like also to reiterate the observation made by the Pakistan delegation in the First Committee on 1 December 1969 that --

> "... the non-participation of France and the absence of the People's Republic of China -- both nuclear Powers -- from the negotiations on disarmament is still a serious impediment to the real success of those negotiations" (A/C.1/PV.1707, provisional, p.3).

7. At its last session the General Assembly adopted as many as twelve resolutions concerning items on disarmament. In this connexion the Committee has before it document CCD/275, which includes a letter dated 30 January from the Secretary-General. I have brief comments to make on some of the items before the Committee.

8. Regarding the question of a comprehensive test-ban treaty, to which the General Assembly has attached the greatest urgency, the Committee is aware that no progress was made last year. There is now an impasse, primarily because of the lack of political will on the part of the super-Powers. The question of verification and control has been the main obstacle to agreement; but it now appears that, as a result of the development of technology, there is a possibility that verification can be carried out without on-site inspection. Thanks to the efforts of the Canadian delegation, the General Assembly adopted resolution 2604 A (XXIV). We believe that the proposed exchange of seismic data will be a vital step in achieving significant progress towards agreement on a comprehensive test-ban treaty.

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9. My delegation believes that it should be possible to reach agreement on a draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof during the course of the present session. The views of the Pakistan delegation on the various aspects of such a treaty were expressed in this Committee on 23 October 1969 (CCD/PV.445, paras.27-34) and in the First Committee last December (A/C.1/PV.1707, provisional, pp.7-8). I do not wish to deal with the subject at this time. We hope to have an opportunity of doing so when the further revised draft text of the treaty is submitted to the Committee by the co-Chairmen.

10. The views of my delegation on the question of the use of chemical and bacteriological (biological) weapons were clearly stated in our statement of 4 September 1969 (CCD/PV.434, paras.58-69). We fully endorsed the three recommendations made by the Secretary-General in his foreword to report A/7575/Rev.1 (p.xii). We stated that we had no doubt in our minds that the Geneva Protocol (ibid., annex VI) prohibited the use in war of all chemical and bacteriological (biological) weapons, including tear gas and other harassing agents, which now exist or which might be evolved in the future (CCD/PV.434, para.62). As we stated at that time, we should proceed from the point that the use of such weapons is already prohibited and that only the additional measures prohibiting their development, production and stockpiling remain to be undertaken (ibid., para.65).

11. The Committee now has before it General Assembly resolution 2603 B (XXIV). In operative paragraph 2 of section III of the resolution the General Assembly has requested the Committee on Disarmament to give urgent consideration to reaching agreement on the prohibitions and other measures referred to in the draft convention submitted by the nine socialist States on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (A/7655), and in the United Kingdom draft convention for the prohibition of biological methods of warfare (ENDC/255/Rev.1), as well as other relevant proposals. The Committee has been asked to submit a progress report on all aspects of the problem of elimination of chemical and bacteriological (biological) weapons to the General Assembly at its twenty-fifth session.

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12. In the light of the observations which have so far been made in the Committee it is clear that there are divergent views on how the problem of the elimination of those weapons should be tackled. In the First Committee the Pakistan delegation made some observations on both the draft convention of the socialist countries and the United Kingdom draft convention (A/C.1/PV.1707, provisional, pp.11-12). We see merit in the socialist draft convention, as it deals with both types of weapons; but we feel that the measures to implement the prohibitions should be spelt out. We are glad to note that the Polish delegation intends to introduce a proposal on a safeguards clause to strengthen the main provisions of the document (CCD/PV.452, para

13. In this connexion I should like to mention that during the consideration of this subject in the First Committee the Pakistan delegation commended the Japanese proposa made last year, and restated by Mr. Abe in his statement on 10 March, that a group of competent scientists and technologists should study the technical problems relating to verification of the production and stockpiling of chemical and biological weapons (CCD/PV.456, para.81). An indication of the complexities of the problem before us was given in Mrs. Myrdal's statement of 12 March (CCD/PV.457, paras.40 et seq.). We feel that further discussions in the Committee would help in clarifying the position. My delegation will return to the subject at a later stage.

14. In resolution 2602 E (XXIV) the General Assembly has asked the Committee on Disarmament to work out a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control and to report thereon to the twenty-fifth session.

15. The leader of the Pakistan delegation to the twenty-fourth General Assembly observed in his statement that the record of more than twenty years of disarmament negotiations could not be regarded as impressive. While certain treaties in the nature of non-armament measures, and most recently the Treaty on the Non-Proliferatio of Nuclear Weapons, had been concluded, there had been no agreement in the field of true disarmament. The goal of general and complete disarmament remained as distant as ever, and agreement even on collateral measures of disarmament was not in sight.

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16. My delegation is aware of the incredibly complex nature of the decisions involved, but we remain convinced that, unless and until a serious attempt is made to tackle this problem now, we may find that the passage of time has created new obstacles to progress. As the Secretary-General and a number of delegations have pointed out, the elements of a programme of general and complete disarmament already exist. We believe that the Committee should consider this matter as early as possible.

17. Mr. ESCHAUZIER (Netherlands): In this statement I should like to dwell at some length on a topic to which this Conference, in accordance with the request of the General Assembly in its resolution 2603 B (XXIV) (CCD/275), should give urgent consideration with a view to reaching further agreement on the question of chemical and biological warfare.

18. The Netherlands delegation welcomes the fact that the question of chemical and bacteriological weapons is likely to receive high priority at this Conference during the present session. We are also satisfied that the General Assembly recognized the predominant importance of the Geneva Protocol of 1925 (A/7575/Rev.1, annex VI). All States which have not yet done so have been invited to accede to or ratify this Protocol in the course of this year in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations.

19. In this connexion I should like to remind this Conference of the statement of Mr. Asakai at our meeting on 14 August 1969 that the Japanese Government is prepared to consider the ratification of the Geneva Protocol in case we find ourselves in the unfortunate situation that an agreement on the complete prohibition of both chemical and biological weapons cannot be concluded in the near future (ENDC/PV.428, para.49).

20. I am sure we all noted with great satisfaction the statement of President Nixon on 25 November 1969 that the United States Administration will submit to the Senate, for its advice and consent to ratification, the Geneva Protocol of 1925.

21. I should also like to refer to the other important decisions of the United States Government on chemical and biological weapons, namely renunciation of the first use of incapacitating chemicals; renunciation of the use of lethal biological agents and weapons and all other methods of biological warfare; restriction of United States

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biological research to defensive measures such as immunization and safety measures; disposal of existing stocks of bacteriological weapons; renunciation of preparations for the offensive use and of such use of toxins as a method of warfare; restriction of the United States military programme for toxins, whether produced by bacteriological or any other biological method or by chemical synthesis, to research for defensive purposes only.

22. This list comprises some important unilateral initiatives towards disarmament. The Netherlands delegation would particularly stress the decision to renounce the use -- not only first use but also retaliatory use -- of biological agents and weapons. In this respect the United States Government, which is not a party to the Geneva Protocol, has gone further than many of the original parties to the Protocol. As this Conference is aware, in acceding to the Protocol a substantial number of States made the reservation that the Protocol ceases to be binding on the acceding State in regard to all enemy States the armed forces or allies of which fail to respect the Protocol. That reservation was also made by the Netherlands Government when ratifying the Protocol in 1930; but the reservation was limited to the use in war of asphyxiating, poisonous or other gases. In doing this the Netherlands was among the first countries to renounce unconditionally the use of bacteriological or biological weapons. I therefore believe that the Netherlands has a certain right to issue an appeal to follow the example set by the United States Government. In this connexion we have noted with interest the proposals (CCD/PV.456, para.35) made by the delegation of Yugoslavia at our meeting on 10 March.

23. At this stage I should like to remind the Conference of the Italian initiative at the last session of the General Assembly according to which all parties to the Geneva Protocol were to be invited to consider the prohibition of "first use" contained therein as valid erga omnes (A/C.1/L.498). That initiative was not voted on, but we supported it (A/C.1/PV.1717, provisional, pp.8-10) and are still in favour of such a decision.

24. I agreed with Mr. Ortiz de Rozas when he stated at our meeting on 3 March that the Geneva Protocol has given proof of its great moral force, in spite of the limited number of Governments that have acceded to it (CCD/PV.454, para.14). I felt inclined to add: and also in spite of the fact that the Geneva Protocol gave rise to different interpretations as to its scope and coverage.

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25. We had and still have great difficulty in subscribing to resolution 2603 A (XXIV), which was adopted by eighty votes to three, with thirty-six abstentions, and which declares as contrary to the generally-recognized rules of international law, as embodied in the Geneva Protocol, the use in international armed conflict of any chemical and biological agents of warfare. We made that position clear in the First Committee on 10 December 1969. We admitted the existence of certain ambiguities in the Protocol. We also agreed that it is important to dispel, as soon as circumstances permit, any uncertainty which might continue to exist with regard to the scope of the Protocol. We therefore suggested that in due course the Protocol could best be supplemented by an additional agreement or agreements reflecting the realities of the present and anticipating future developments (A/C.1/PV.1717, provisional, pp.4-10).

26. I can now add to our position taken at that time that the Netherlands Minister of Foreign Affairs, in a parliamentary debate on 12 February, declared his willingness to co-operate in seeking agreement to abolish for the future the use of herbicides and defoliants in warfare. That important decision was based on the consideration that large-scale use of such chemical agents might have long-term effects of an unpredictable nature on man's environment. This question is related to the ecological problems which are confronting mankind and on which an important conference will be held under the auspices of the United Nations in 1972.

27. With regard to the use of tear gas in warfare, the Netherlands Government continues to have doubts. It is not so much the use of that weapon which has been criticized; it is rather the misuse. The cardinal question would appear to be whether or not it is deemed possible to restrain the use of certain specified harrassing agents by the proper legal and customary rules of war instead of banning them completely from military arsenals. In any event, a ban on the production of such agents would have to make allowance for the production of adequate quantities for riot-control purposes. My Government intends to reconsider the whole question after it has received a report to be submitted in the near future by our National Advisory Committee on Questions of Disarmament and International Peace and Security. That Committee was established a few years ago by the Minister of Foreign Affairs as an independent body composed mainly of qualified individuals outside the Government.

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28. We now have before us two draft conventions. The United Kingdom submitted a draft convention for the prohibition of biological methods of warfare (ENDC/255/Rev.1) to this Conference, whereas nine socialist countries submitted to the General Assembly a draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (A/7655). The two drafts adopt a different approach. The former deals only with biological weapons, while the latter is a comprehensive one, including both chemical and biological weapons.

29. Much has already been said in this Conference on the advantages and disadvantages of the two proposals. We can approach the problem either from an intellectual or from a pragmatic point of view. Intellectually, there are certain arguments in favour of a comprehensive solution. Mr. Roshchin mentioned several of them in his statement before this Conference on 3 March (CCD/PV.454). Counter-arguments can be formulated as well, the most powerful being that biological agents depend for their effects on their ability to multiply in the person, animal or plant attacked. We know that in the Secretary-General's report on chemical and biological weapons (A/7575/Rev.1, para.19) it is stated that what may be regarded today as a biological agent could tomorrow, as knowledge advances, be treated as chemical.

30. This judgement has been couched in very prudent terms. I want to underline the words "could", "tomorrow" and "as knowledge advances". Moreover, the following paragraphs of the report lead to the conclusion that for the foreseeable future there are basic differences in the characteristics of chemical and biological agents. Practical reasons could be added to this. Biological weapons have not yet been used so far in war. They are -- as far as we know -- not yet available on an operational basis. It is generally recognized that biological weapons are extremely dangerous and risky both to the attacked and to the attacker. It therefore seems evident that it is in the mutual interest of all States completely to ban those weapons. On this basis of mutual and interwoven interest it might conceivably be possible to reach a quick result.

31. From what I have just said it will be clear that the Netherlands Government has great sympathy for the United Kingdom draft convention and is willing to support its principal ideas. It is an example of practical wisdom in trying to achieve what seems to be nearest at hand. This does not exclude, however, the prospects for

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progress on chemical warfare and biological warfare being discussed together. Lord Chalfont stated to this Conference on 19 February (CCD/PV.451, para.18), that the United Kingdom delegation is ready to fall in with the wish of the majority, and that it is understood that the majority wishes a discussion on both types of weapons simultaneously. We can readily go along with this procedure.

32. Now with regard to the United Kingdom draft convention my delegation would like to make a few further preliminary remarks. Article I of the draft does not follow the definition of biological agents given in the Secretary-General's report on chemical and biological weapons. After an initial study of various possible formulations, we would prefer this article to correspond closely with the definition in the Secretary-General's report. We would therefore tentatively suggest that article I might read as follows:

> "Each of the Parties to the Convention undertakes never in any circumstances to make use for hostile purposes of living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked."

33. As a substitute for the traditional expression "use in war" (or warfare), article I of the United Kingdom draft convention offers the definition "for hostile purposes". For the sake of argument we have retained, as a possible alternative, that definition. It is less restrictive than the term "in international armed conflicts", which appears in resolution 2603 A (XXIV). It seems that there exists a certain parallel between the United Kingdom formula and the definition "armed conflicts in which armed forces are engaged in hostilities" in the Report on the Protection of Victims of Non-International Conflicts by the International Committee of the Red Cross (May, 1969).

34. Article II (a) (i) of the United Kingdom draft stipulates that each of the contracting parties undertakes not to produce or otherwise acquire, or assist in or permit the production or acquisition of, microbial or other biological agents of types and in quantities that have no independent justification for prophylactic or other peaceful purposes. We would prefer to delete the word "independent", because in our view it could lead to confusion and would lose its meaning in a supposed

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situation of threat by biological weapons. We also feel that the term "peaceful" may give rise to different interpretations. It is normally used in the sense of "non-military", but it has also been held to mean "non-aggressive", "non-offensive" or "non-armed". In the present context peaceful use would permit "passive defence".

35. We venture to suggest that the risk of any ambiguity could be eliminated by the following wording of article II (a) (i):

> "Each of the Parties to the Convention undertakes not to produce or otherwise acquire, or assist in or permit the production or acquisition of, biological agents of types and in quantities that are not exclusively required for prophylactic or protective purposes."

36. When Mr. Mulley tabled and introduced the draft convention on 10 July 1969 he pointed out to this Conference that verification, as that term is understood in disarmament negotiations, is simply not possible in the field of biological warfare (ENDC/PV.418, para.21). He gave two reasons: the agents which might be used for hostile purposes are generally indistinguishable from those which are needed for peaceful medical purposes, and militarily significant quantities of a biological warfare agent could be produced in a relatively small facility. We share the view that it is hardly possible to conceive a control system which does not contain loopholes. However, we want to reserve our position as to the question whether any control possibility has to be excluded once and for all. One could for instance think of introducing a system of inspection of declared facilities.

37. In this light we see merit also in the proposal which was first made by Mr. Asakai in our meeting of 14 August 1969 (ENDC/PV.428, para.47) and reiterated by Mr. Abe during the present session on 10 March (CCD/PV.456, para.81) that the study of the technical problems related to the verification of the production and stockpiling of chemical and biological weapons be entrusted to a group of competent scientists and technologists. We also fully agree with the representative of Japan that, in order to obtain conclusive evidence, any complaint procedure followed by an investigation requires speedy action. Mr. Abe pointed out that the Secretary-General of the United Nations should be able to "act without delay on previously arranged preparations for implementing such investigations" (ibid., para.79).

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38. Those considerations sound very familiar to my delegation. As long ago as 1962 the Netherlands Government launched an initiative in the General Assembly with a view to improving methods of "international fact-finding" and devising international machinery to that effect. Those efforts were pursued during subsequent years and resulted in the adoption by the General Assembly on 18 December 1967 of resolution 2329 (XXII), operative paragraph 4 of which reads as follows:

> "Requests the Secretary-General to prepare a register of experts in legal and other fields, whose services the States parties to a dispute may use by agreement for fact-finding in relation to the dispute, and requests Member States to nominate up to five of their nationals to be included in such a register."

39. It is not difficult to transpose this general recommendation in terms of the specific requirements of the problem I am dealing with now. The suggestion of the representative of Japan, Mr. Abe, to establish a roster of experts with a view to conducting investigations (CCD/PV.456, para.82) is therefore warmly supported by my delegation. However, I should like to stress once more that in the opinion of my delegation the possibility of devising some sort of a system of inspection should not be ruled out a priori but, on the contrary, should be thoroughly examined.

40. I come now to the socialist draft convention as presented to the General Assembly on 19 September 1969. Our main objection is that this draft convention deals with both biological and chemical weapons without providing for an adequate safeguards system. We cannot argue that the industrial and technological capability of the majority of nations is still not advanced enough to produce the horrible weapons we are discussing. I would like to remind the Conference of that part of the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use which reads:

> "Despite the fact that the development and acquisition of a sophisticated armoury of chemical and bacteriological (biological) weapons systems would prove very costly in resources, and would be dependent on a sound industrial base and a body of well-trained scientists, any developing country could in fact acquire, in one way or another, a limited capability in this type of

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warfare -- either a rudimentary capability which it developed itself, or a more sophisticated one which it acquired from another country. Hence, the danger of the proliferation of this class of weapons applies as much to developing as it does to developed countries." (A/7575/Rev.1, para.345)

41. We listened with great attention and interest to our Polish colleague when he stated on 24 February (CCD/PV.452, para.18) that a group of Polish experts has prepared a proposal dealing with the problem of an adequate safeguards clause and that it will be introduced in this Conference after consultation with the other sponsors of the draft convention. In view of that promise we will reserve our position on this point until later.

42. Article 4 of the socialist draft stipulates that:

"Each State Party to the Convention shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory, and also by its legal and physical persons outside its territory." (A/7655)

We do not see clearly how a State can be held responsible for acts committed by unauthorized individuals outside its territorial limits. Responsibility is correlated to authority and influence, and a State's authority is confined to the territory within which it exercises sovereign rights. I would be grateful, therefore, to receive some clarification on this point.

43. We further believe that the language of article 1, containing the principal obligation, is not detailed enough. The socialist draft is limited to the prohibition of the development and production of chemical and biological weapons. Does this imply that all development and production of chemical and biological agents would be permitted as long as they were not included in operational weapons? This brings us to the very difficult problem of defining when an agent becomes a weapon. We therefore prefer formulas that make agents and not weapons the subject of prohibition, as exemplified in the United Kingdom draft convention to which I have just referred. That system constitutes a better guarantee that all options to retain a capability in this field will be given up.

44. I would like to assure those colleagues who have spoken before me on the same subject that my delegation listened to their remarks with great attention.

(Mr. Eschauzier, Netherlands)

My delegation is particularly grateful for the comprehensive statement — truly a "mapping expedition" — by the representative of Sweden, Mrs. Alva Myrdal (CCD/PV.457). We are also studying carefully the most valuable documentation on chemical and biological warfare prepared by SIPRI.

45. There is already a wealth of material before this Conference which can serve as a basis for a discussion in depth. My delegation expresses the hope that by the end of the present session this Conference will be able to report to the General Assembly substantial progress in fulfilling the mandate it was given in resolution 2603 B (XXIV).

46. Mr. LEONARD (United States of America): The United States attaches great importance to the achievement of reliable international agreements to control the development, production and stockpiling of chemical and biological weapons. The emphasis that other members of this Committee have given to this subject in their opening statements is a welcome indication that the time has come to take concrete steps to eliminate these weapons. But in order to take such steps, we must make a choice regarding the approach most likely to achieve results. We have before us two draft conventions (A/7655, ENDC/255/Rev.1). A number of constructive suggestions have also been made during our discussions. We can, of course, continue for an extended period to discuss these proposals in general terms. The United States delegation hopes, however, that the Committee will soon come to agree upon a course of action offering the prospect of early concrete achievement.

47. The value of this Committee is measured to a great extent by its ability to negotiate realistic and widely-acceptable agreements. The United States believes that such an agreement can be achieved in the near future through negotiation of a measure that prohibits the development, production, stockpiling or any acquisition of biological means of warfare. We also believe, for reasons that I shall give in some detail today, that it does not seem feasible at present to negotiate a single agreement prohibiting both chemical and biological weapons. I wish to emphasize, however, that the United States is committed to achieving effective controls on chemical weapons as well as on biological weapons. We think that progress can be made in the chemical field and are determined to contribute to that task. But we feel that to insist on a single agreement covering both chemical and biological weapons would be, in effect, to resign ourselves to no concrete advance for a considerable period of time.

(Mr. Leonard, United States)

48. I should like to comment first on the reasons why an agreement on biological weapons would be worth while. My Government recently completed an exhaustive review of its policy alternatives in this field, and I should like to share some of our conclusions with the Committee.

49. It is evident that knowledge of the life sciences -- biology and related disciplines -- has advanced dramatically in recent years. Progress in fields such as genetics and molecular biology will enable us to improve the health and well-being of people everywhere. Without effective political and legal restraints, however, these advances in knowledge could be put to perverse ends, resulting in ever more efficient and ever more horrible methods of using disease as a weapon of warfare.

50. Let us consider the destructive potential of biological warfare as it is already, at the present stage of technology. In the Secretary-General's Report on Chemical and Bacteriological (Biological) Weapons there is a table which compares the disabling effects on an unprotected population of hypothetical attacks using chemical, nuclear, and biological weapons (A/7575/Rev.1, p.44). In each instance an estimate was made of the damage which would be caused by the weapon-load of a single strategic bomber. In the case of chemical weapons, the area affected was estimated to be "up to 60 km^2". In the case of nuclear weapons, the area was estimated at "up to 300 km^2". But in the case of biological weapons it was estimated at "up to 100,000 km^2". In fact it has been estimated that, in terms of the amount needed to cause injury, infectious microbes can be a million times more poisonous than modern nerve agents.

51. Thus biological weapons present a clear danger to mankind, especially to an unprotected civilian population. The effect of their use, however, would be difficult to predict. The aerosolized form of a disease -- the form in which a biological agent can best be "weaponized" and disseminated -- obviously cannot be field-tested on human populations. Partly because so far we have been spared the use of these weapons in warfare, their effects can only be estimated from experience with natural epidemics and laboratory experiments. Thus there can be no assurance that this form of warfare, if ever begun, would not spread uncontrollably to one's own population and to still other countries, as well as to the enemy.

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People living in areas of malnutrition, crowding and poor health facilities would be especially vulnerable to a biological attack. Because of the unpredictable and potentially uncontrollable consequences of biological weapons, their use could even produce global epidemics and impair the health of future generations.

52. Are there reasons of national security which require States to develop and possess biological weapons? Most States have already pledged themselves not to initiate the use of these weapons. The development of a biological warfare capability therefore should depend upon whether these weapons have value as a deterrent against use by others and as a means of retaliation -- of redressing the military balance -- if deterrence should fail. An assessment of their deterrent and retaliatory value is also important in giving consideration to methods of ensuring compliance with a ban on their possession.

53. It is the considered judgement of the United States Government that retaliation in kind would not be the best military response to a biological attack. In fact, we judge that it would not be an acceptable or rational response to a biological attack. A country subjected to attack with biological weapons might not be aware for days or weeks that the attack had taken place. If it concluded that it was the victim of a deliberate attack rather than a natural epidemic it would have to determine the source of the attack.

54. In deciding on what action to take, the attacked country would then have to consider the unpredictable nature of biological weapons and the incubation period required before they can take effect. Few, if any, military situations can be imagined in which a State would try to redress a military imbalance by retaliating with weapons whose effects would not show up for days. Furthermore, biological weapons could not destroy the military arsenal -- the tanks, planes, and artillery -- of an enemy, and the side that had initiated biological warfare would presumably have taken steps to protect its military forces, which would suffer far fewer casualties than would the civilian populations of both sides. Those, very briefly, are the reasons why biological weapons are not a necessary or even a useful counter to or insurance policy against the possible possession of biological weapons by some other State.

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55. In the face of the grave risks in using biological weapons and of their doubtful retaliatory value, the justification for possessing them seems to reduce itself to the fear that one's adversary might possess them as well. Realizing this fact, and in an effort to reduce international tension, the United States has totally renounced biological warfare. We hope that more States will take similar action. We welcome the recent suggestions of the Yugoslav delegation for parallel action by other States (CCD/PV.456, para.35); but we strongly urge that such unilateral decisions be converted into a binding international commitment by the negotiation of a convention along the lines of the draft submitted by the United Kingdom.

56. The prospects for eliminating biological warfare through such a convention seem to us especially promising, and the advantages to the world community of a binding commitment seem obvious. The United States is not, after all, the only country with the capability of developing biological weapons. The unilateral commitment of the United States not to produce or stockpile biological weapons is not, of course, the same as an international act in which a large number of countries, including many with present or potential capabilities in this field, would join in outlawing the production and stockpiling of those weapons. The positive effect of a widely-supported international agreement would be substantial, and we should seize this opportunity to reinforce the already-existing agreements in this field.

57. In giving its support to the United Kingdom's draft convention the United States wishes to note its endorsement of article V. By its terms each party would undertake "to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare" (ENDC/255/Rev.1). In many important respects, however, the problems surrounding chemical warfare are different from the problems of biological warfare and thus require separate treatment. Mrs. Myrdal last week pointed to some of these differences (CCD/PV.457, paras.24-26), and I should like, if I may, to carry forward today the examination of one or two of the important problems involved in devising appropriate controls in the chemical weapons field.

58. Chemical weapons are primarily battlefield weapons. The enormous logistical burdens involved in their massive use would prevent their employment over the vast areas which could be attacked with biological weapons. Chemicals are more predictable and controllable than biological weapons. Unlike biological weapons,

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chemical weapons can produce immediate effects — an important quality for use in combat. For those reasons, chemical weapons have obvious usefulness in certain military situations. Their military utility was demonstrated in the First World War when 100,000 military personnel on both sides were killed by poison gas and 1.2 million additional casualties were reported. Today many States are capable of producing modern nerve agents which are both more toxic and more adaptable to a variety of battlefield uses than are the First World War gases.

59. At the present time some States believe that a chemical warfare capability is important for their national security. States maintain chemical warfare programmes and stockpiles to deter others from using these weapons and to provide a retaliatory capability if deterrence were to fail. Unlike the case with biological weapons, whose very doubtful retaliatory value we have already discussed, the inability of an attacked nation to retaliate with chemicals could give a significant military advantage to any government which might decide to violate the prohibition on the use of chemical weapons. If only one side were using chemical weapons, the mobility and fighting capacity of the other side would be greatly restricted in the entire area of combat by the need for protective clothing and other defensive measures, while the attacker would not be thus hampered in the areas he desires to leave free of contamination. As the Secretary-General's report states:

> "It is thus highly probable that once one of two well-equipped sides had been attacked with chemical weapons, it would retaliate in kind, in order to force its opponent to suffer the same penalties of restriction."
> (A/7575/Rev.1, para.37)

60. Given that situation, there is a reluctance based on sound military considerations to eliminate chemical capabilities without firm assurance and safeguards that other States are doing likewise. Progress in eliminating chemical weapons therefore depends upon developing reliable and negotiable verification arrangements. The United States is prepared to give further careful study to this problem.

61. It is our preliminary impression that, although verification problems are very difficult, they are not necessarily insoluble. A ban on production and possession of chemical weapons clearly could not be verified by national means alone, but the United States believes that substantial progress can be made in resolving the technical problems involved in verification by monitoring and inspection techniques. The United States Arms Control and Disarmament Agency has been studying the verification problem for several years, and we are encouraged by our studies of

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monitoring and inspection techniques. Should the Committee decide to undertake an intensive study of the chemical verification problem, the United States would make available experts in this field and appropriate research findings.

62. Because we believe that a ban on the production and possession of chemical weapons should be approached through a detailed examination of specific problems, I am today offering a working paper on one aspect of this subject (CCD/283), which was distributed this morning. You will note that it is concerned with the complex relationship between chemical weapons and peaceful chemical production. The working paper draws attention to the large number of industrial and commercial chemicals which themselves can be used as weapons or which are the raw materials or intermediates for weapons, to the capabilities of many of the nations of the world to manufacture such chemicals, and thus to the magnitude and complexity of the problem of determining what we want to prohibit and how such prohibition might be verified.

63. The whole problem of the relationship between industrial chemicals and chemical weapons points, in fact, to one of the obvious weaknesses in any agreement in this field which does not define in very specific terms exactly what activities are being prohibited. It is not adequate to prohibit the development, production and stockpiling of chemical weapons without defining those terms. The term "chemical weapons" does not have a self-evident meaning. It immediately raises several questions, such as whether the production and stockpiling of chemical agents or their intermediates would be permitted so long as they were not "weaponized" -- that is, put into munitions. A related difficulty is that a tank of phosgene, for example, could be stored in a civilian warehouse for peaceful use but could easily be used as a weapon if necessary. Would identical tanks of phosgene be permitted in a civilian warehouse but prohibited in a military stockpile, and, if so, how could the diversion to military use be prevented?

64. Obviously the framing of both the appropriate prohibitions and the methods of verifying compliance with those prohibitions are difficult problems and will require considerable effort. My Government will provide additional working papers which will, I hope, contribute to an understanding of these problems and help the Committee to decide upon a reasoned course of action in attempting to resolve them. It is obvious to us that we cannot hope to eliminate chemical weapons unless we can agree on clear and unambiguous prohibitions and can have confidence that whatever bans are placed on such weapons are being observed. Difficult as the problem is,

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we must not put aside the question of controlling chemical weapons. Instead, we should be prepared to devote a great deal of energy to the chemical problem.

65. I am, of course, aware that some members of the Committee may hesitate to support a biological warfare convention because they fear it could have the effect of sanctioning chemical warfare activities. That is simply not the case. There are existing constraints on the use of chemical weapons, notably the 1925 Geneva Protocol (A/7575/Rev.1, annex VI). Those constraints would not in any way be undermined by further progress in this field; in fact, quite the contrary. Furthermore, we are dealing in reality with two different weapons systems. They have very different military roles, and doing away with one could hardly be a stimulus to activity involving the other. Chemical weapons are not substitutes for biological weapons. For its part, the United States has no intention of abusing the period which is obviously going to be necessary for this Committee to study chemical arms-control measures. It is, in fact, already a matter of record that the United States is not now producing any lethal chemical weapons for stockpile.

66. If, in examining the chemical and biological arms control problems, we can agree to negotiate on the basis of the United Kingdom draft convention and simultaneously pursue a study of how to handle the problems involved in restricting the development, production and stockpiling of chemical weapons, then we should be able to register one great achievement and lay the groundwork for another. If we try to eliminate both weapons at once and in the same manner, I fear that we shall have accomplished nothing at the end of a prolonged discussion.

67. Let us seize the opportunity we have at this time by once and for all destroying the spectre of biological warfare. If it can be said of us, when the time comes to review the accomplishments of the Disarmament Decade, that we opened the Decade by putting an end to the development of disease as a weapon of warfare, then we shall have earned the gratitude of people everywhere. As President Nixon stated in renouncing biological warfare: "Mankind already carries in its own hands too many of the seeds of its own destruction." This Committee has the responsibility and an immediate opportunity to see to it that certain of those seeds will never be sown.

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 458th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Kroum Christov, representative of Bulgaria.

"Statements were made by the representatives of Pakistan, the Netherlands and the United States of America.

"The delegation of the United States of America presented a working paper on chemical warfare agents and the commercial chemical industry (CCD/283).

"The next meeting of the Conference will be held on Thursday, 19 March 1970, at 10.30 a.m."

The meeting rose at 11.40 a.m.